

REMARKS

Reconsideration of the above-referenced application is respectively requested in view of the above amendments and these remarks. Claims 1-2 and 11-12 are currently pending. Claims 3-8, 10 and 13-19 have been cancelled without prejudice.

According to the Office Action, claims 1-5, 11-13 are rejected under 35 U.S.C. § 102(e) as being anticipated by United States Patent Application Publication No. 2005/0119005 to Segal et al. (“Segal”). Applicants have cancelled claims 3-5 and 13. In response to the rejection of claims 1-2 and 11-12, Applicants submit declarations under 37 C.F.R. § 1.132 stating that the invention disclosed but not claimed in Segal was derived from inventors of this application and is thus not the invention “by another”. In the declarations, Anatoly Belkin and Niranjana Segal, who are both inventors in the present application and the cited reference, state that they conceived or invented the subject matter disclosed in the application publication and relied on in the rejection concerning the rejected pending claims. In particular, the declaration shows that the portions of Segal referenced in the Office Action regarding claims 1-2 and 11-12 were originated by the Applicants of the present invention. A declaration of Jheroen Dorenbosch, a co-inventor of Segal, states that he is not an inventor of those sections of the Segal cited in the Office Action against the pending claims. In view of the declarations, Segal is no longer be considered prior art, and the rejection under Section 102(e) does not stand. In view of the foregoing, Applicant therefore submits that the rejection of claims 1-2 and 11-12 is moot. Applicant respectfully requests that the rejection under Section 102(e) be withdrawn.

Claims 6-8 and 14-18 are rejected under 35 U.S.C. § 103(a) as being unpatentable over Segal in view of United States Patent No. 5,913,166 to Buttitta et al. Claim 19 is rejected under 35 U.S.C. § 103(a) as being unpatentable over Segal and Buttitta in view of Ejzak. Applicants have cancelled claims 6-8 and 14-19 therefore making these rejections moot. Applicants respectfully request that the rejections under Section 103(a) be withdrawn.

As the Applicants have overcome all substantive rejections and objections given by the Examiner and have complied with all requests properly presented by the

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Examiner, the Applicants contend that this Amendment, with the above discussion, overcomes the Examiner's objections to and rejections of the pending claims. Therefore, the Applicants respectfully solicit allowance of the application. If the Examiner is of the opinion that any issues regarding the status of the claims remain after this response, the Examiner is invited to contact the undersigned representative to expedite resolution of the matter.

Please charge any fees associated herewith, including extension of time fees, to **50-2117**.

Respectfully submitted,
Belkin, Anatoly S. et al.

SEND CORRESPONDENCE TO:

Motorola, Inc.
Law Department

Customer Number: **22917**

By: /Simon B. Anolick/

Simon B. Anolick
Attorney for Applicant
Registration No.: 37,585
Telephone: 847-576-4234
Fax: 847-576-3750